

BEFORE THE DIRECTOR
OF THE
OFFICE OF CAMPAIGN FINANCE
D. C. BOARD OF ELECTIONS AND ETHICS
2000 14TH STREET, N. W., SUITE 420
WASHINGTON, D. C. 20009
(202) 671-0550

IN THE MATTER OF)

Committee to Re-elect Sandy Allen
Joseph Yeldell, Chairperson

DATE: November 22, 2000

and)

DOCKET NO.: PI 2000-102

William (Willie) Wright
Chairperson, The Taxicab Industry
Group

ORDER

Statement of the Case

This matter arises out of a complaint filed by Sandra "S.S." Seegars, 1107 Savannah Street, S. E., Washington, D. C., 20032, a candidate for election to the seat of Councilmember for Ward 8, alleging a violation of the District of Columbia Campaign Finance Reform and Conflict of Interest Act of 1974, as amended, D. C. Code §§1-1401 et seq. (the Act).

Ms. Seegars claimed that, by implication, a member or members of the Committee to Re-elect Sandy Allen (Committee to Re-elect), for which Joseph Yeldell serves as chairperson, allegedly copied contributors' names from the Seegars for Council Committee (Seegars Committee) June 10, 2000 Report of Receipts and Expenditures (R&E Report). She further claimed that, as a result thereof, William (Willie) Wright, a Capitol Cab driver and chairperson of the Taxicab Industry Group, 1240 4th Street, N. W., Washington, D. C., 20001, was allegedly directed thereby to approach Vaughn Williams, manager of Yellow Cab Co., 1636 Bladensburg Road, N. E., Washington, D. C., 20002, to intimidate Mr. Williams to donate a contribution to the Committee to Re-elect Sandy Allen because he had contributed to Ms. Seegars campaign.

Issue

Whether William Wright, a Capitol Cab driver and chairperson of The Taxicab Industry Group, violated D. C. Code §1-1433(3), when he allegedly reviewed the June 10, 2000 R&E Report of the Seegars for Council Committee for the purpose of soliciting a contribution from Vaughn Williams, manager of a local cab company?

Background

On July 21, 2000, Sandra Seegars complained to OCF that a member or members of the Committee to Re-elect had copied contributors' names from the Seegars Committee June 10, 2000 R&E Report. According to Ms. Seegars, the Committee to Re-elect then directed William Wright to approach and intimidate Vaughn Williams to donate a

contribution to the Committee to Re-elect because, pursuant to the review of the names of contributors from the Seegars June 10, 2000 R&E Report, Mr. Williams had donated a contribution thereto. Upon review of the complaint, OCF initiated a preliminary investigation into the actions of Mr. Wright and Mr. Williams. See Attachments A and B.

On August 4, 2000, OCF mailed letters to Mr. Wright and Mr. Williams to advise that OCF had commenced a preliminary investigation, and to request any additional information relevant to the matter by August 15, 2000. On August 15, 2000, Mr. Wright informed OCF, in person, that he had recently returned to the area and would be unable to respond to the allegations on that date. He was afforded additional time within which to supply his response. Mr. Williams did not respond in any manner on that date.

Having failed to receive any response from Mr. Wright or Mr. Williams, on August 25, 2000, OCF dispatched another letter to Mr. Wright and required him to respond to the allegation no later than September 1, 2000. The Committee to Re-elect was also notified of this matter on that date. On the same date, OCF issued a Notice of Hearing, Statement of Violations and Order of Appearance to Mr. Williams to appear before OCF and testify with regard to this matter, on September 7, 2000.

On August 28, 2000, Mr. Wright submitted a written response in this matter. However, his response was not notarized. On September 7, 2000, Mr. Williams appeared before OCF and testified with regard to this matter. See Attachment C. On September 13, 2000, Mr. Wright submitted the notarized response. See Attachment D. As a result of Mr. Williams' testimony and Mr. Wright's response, interrogatories were issued to Mr. Wright, with instructions to submit his answers no later than October 18, 2000. See Attachment E. On that date, Mr. Wright submitted his answers thereto. See Attachment F.

The scope of the OCF investigation encompassed reviewing, verifying and evaluating all pertinent submitted information and testimony, in light of the OCF statute; examining applicable OCF records (See Attachment G.); research; and in-house meetings. The investigation ended on October 27, 2000.

Relevant Statutory and Regulatory Provisions

D. C. Code §1-1433(1) states, in part, "The Director shall [m]ake the reports and statements filed with. . .her available for public inspection and copying, . . .except any information copies from such reports and statements shall not be sold or utilized by any person for the purpose of soliciting contributions[.]"

D. C. Code §1-1435 reads, in part:

"(b)(1) Any person who violates any provision of this chapter. . .may be assessed a civil penalty by the District of Columbia Board of Elections and Ethics under paragraph (2) of this subsection of not more than \$50 for each such violation. Each occurrence of a violation of this chapter and each day of noncompliance with a disclosure requirement of this chapter or an order of the Board shall constitute a separate offense."

“(2) A civil penalty shall be assessed by the Board by order only after the person charged with a violation has been given an opportunity for a hearing, and the Board has determined, by decision incorporating its findings of facts therein, that a violation did occur, and the amount of the penalty. Any hearing under this section shall be of record and shall be held in accordance with the District of Columbia Administrative Procedure Act[.]”

Summary of Evidence

In support of her complaint, Ms. Seegars submitted her notarized letter on July 21, 2000. Mr. Wright relies upon his notarized response thereto, wherein he states that he did not have any role in the Committee to Re-elect and that he did not review the Seegars Committee June 10, 2000 R&E Report. See Attachment D.

OCF primarily relies upon the testimony for Mr. Williams taken on September 7, 2000. See Attachment C. On that date, Mr. Williams stated that, when queried by Mr. Wright as to his contribution to the Seegars for Council Committee, he was only concerned as to how Mr. Wright knew of his contribution to the Committee. Mr. Williams testified that he was not intimidated or uncomfortable with the query or Mr. Wright. OCF also relies upon its records of committee reports and Mr. Wright's answers to the interrogatories, with a corroboration statement from the Committee to Re-elect. See Attachments G, F, and H.

Findings of Fact

Having reviewed the allegation, respondent's answers, and the record in its entirety, I find:

1. On May 22, 2000, Vaughn Williams, manager of Yellow Cab Company, donated a political contribution in the name of Yellow Cab Company to the Seegars for Council Committee. See Attachment B.
2. On or about May 22, 2000, Mr. Williams discussed the contribution with cab drivers within Yellow Cab Company. See Attachment C.
3. Within 2 weeks thereafter, Mr. Wright approached Mr. Williams, informed him that he was aware of Mr. Williams donation to the Seegars for Council Committee and queried Mr. Williams as to whether he donated a contribution to the Committee to Re-elect. Id.
4. Mr. Williams was not intimidated by or uncomfortable with Mr. Wright in their conversation regarding his political contribution to the Seegars for Council Committee. Id.
5. William Wright never had a position or played any role in the Committee to Re-elect; and, William Wright was never directed by the Committee to Re-elect to review the Seegars June 10, 2000 R&E Report to copy contributors' names and to approach any person thereon to intimidate that individual to donate a contribution to the Committee to Re-elect. See Attachment F.

6. The Committee to Re-elect disclosed in its August 10, 2000, 8-Day Before the Pre-Primary Election and October 10, 2000 R&E Reports that it paid an individual named "William Wright, 2418 10th Street, N. E., Washington, D. C., 20018" for consulting services thereto. See Attachment G.
7. William Wright, the consultant, listed in the reports of the Committee to Re-elect is not the instant William (Willie) Wright, a Capitol Cab driver and chairperson of the Taxicab Industry Group. Id.; see also Attachment H.
8. It is more probable than not that William Wright, as a Capitol Cab driver and chairperson of the Taxicab Industry Group, learned of Mr. Williams' political contribution, in the name of Yellow Cab Company to the Seegars for Council Committee, from another cab driver. See Attachments C and D.

Conclusion of Law

Based upon the record and evidence, I therefore conclude:

William Wright did not utilize any information copied from the Seegars for Council Committee June 10, 2000 R&E Report to solicit contributions from Vaughn Williams, in violation of D. C. Code §1-1433(3).

Recommendation

I hereby recommend the Director to dismiss this matter.

Date

Kathy S. Williams
General Counsel

In the Matter of: **William (Willie) Wright**
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ORDER OF THE DIRECTOR

IT IS ORDERED that this matter be dismissed.

This Order may be appealed to the Board of Elections and Ethics within 15 days from issuance.

Date

Cecily E. Collier-Montgomery
Director

SERVICE OF ORDER

This is to certify that I have served a true copy of the foregoing Order on the following.

cc: William J. Wright
1240 4th Street, N. W.
Washington, D. C. 20001

Vaughn Williams
1636 Bladensburg Road, N. E.
Washington, D. C. 20002

Sandra "S.S." Seegars
1107 Savannah Street, S. E.
Washington, D. C. 20032

Committee to Re-elect Sandy Allen
Joseph Yeldell, Treasurer
1729 Verbena Street, N. W.
Washington, D. C. 20012

Pursuant to 3 D.C.M.R. §3711.5 (1999), any fine imposed by the Director shall become effective on the 16th day following the issuance of a decision and order, if the respondent does not request an appeal of this matter. If applicable, within 10 days of the effective date of this Order, please make check or money order payable to the D. C. Treasurer, c/o Office of Campaign Finance, Suite 420, 2000 14th Street, N. W., Washington, D. C., 20009.